

DECLARATION FOR UTILITY PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PHONE ENABLED DIRECT RESPONSE

the specification of which

☒ is attached hereto

OR

☐ was filed on _____ as United States Application Serial No. _____ or PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 USC 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed	
			Yes	No

I hereby claim the benefit under 35 USC 119(e) of any United States provisional application(s) listed below:

Application Number(s)	Filing Date
60/407,047	August 29, 2002

I hereby claim the benefit under 35 USC 120 of any United States application(s), or 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of any claim of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned

Please direct all correspondence to Troy Schmelzer at Customer Number 27189:



27189

PATENT TRADEMARK OFFICE

PROCOPIO, CORY, HARGREAVES & SAVITCH, LLP
530 B Street, Suite 2100
San Diego, CA 921010-4469
Tel: 619-238-1900
Fax: 619-235-0398

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF INVENTOR	FIRST Name Paul	MIDDLE Initial	LAST Name Atkinson	
RESIDENCE & CITIZENSHIP	City Poway	State or Foreign Country California	Country of Citizenship United States	
POST OFFICE ADDRESS	Street 12831 Via Del Toro	City Poway	State or Country California	Zip Code 92064
INVENTOR'S SIGNATURE <u>Paul D. Atkinson</u>			DATE <u>8.21.03</u>	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: :
:
Paul Atkinson :
:
Serial No. NYA :
:
Filed: Herewith :
:
For: Phone Enabled Direct Response :

POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Kestrel Wireless, Inc., assignee of the captioned patent application, hereby appoints as its attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office and in countries other than the United States, and to do all things necessary or appropriate therefor before any competent international authorities in connection with any international patent applications corresponding to the captioned application, all of the registered practitioners identified by Customer Number 27189.

Please direct all correspondence to Troy M. Schmelzer at Customer No. 27189:



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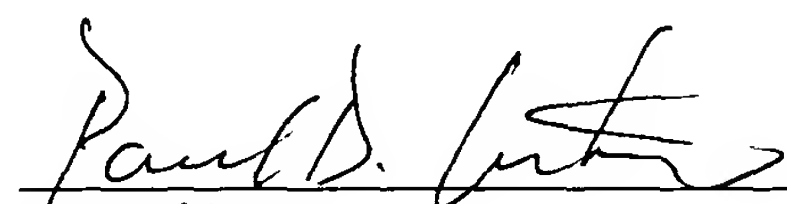
The undersigned is authorized to sign this document on behalf of Kestrel Wireless, Inc.

Respectfully submitted,

Kestrel Wireless, Inc.

Dated: 8.21.03

By:


Paul Atkinson
President